

Remarks:

The Office Action dated August 4, 2009 noted that claims 1-3 and 5-11 are allowed. The Advisory Action dated November 4, 2009 only objected to the wording of claim 12 as being the reason why the application is not in condition for allowance. In said Advisory Action, claim 12 was objected to as follows: "Claim 12 not in proper alternate format, should read 'any one of claims 1 to 3 or 5 to 11'". Claim 12 is now amended to incorporate the Examiner's suggested wording.

In said Office Action of August 4, 2009, claim 13 is only rejected because it depended from rejected claim 12.

In said August 4, 2009 Office Action, claim 14 was rejected under 35 USC 103. Since claim 14 is not referred to in said Advisory Action, it is assumed claim 14 as amended on October 20, is considered allowable. Since the amendment of claim 14 herein is identical to the amendment of October 20, 2009, it is respectfully submitted that claim 14 is allowable.

To make the present Amendment completely responsive to the Office Action of August 4, 2009, the following quoted argument which is identical to the argument on page 7 and the top two lines of page 8 of said October 20, 2009 Amendment, is made of record herein.

"In the Office Action, the §103 claim rejection followed by the "Response to Arguments" ends with the following sentence at

the top of page 4: "However, Applicant's arguments do not apply to Claim 14 given that Claim 14 does not require the hydrophilic copolyester to be the same as claimed in Claim 1 and argued by the Applicant as providing unexpected results."


Claim 14 is amended by replacing the term "hydrophilic copolyester" with the identical definition of a polyester which was inserted into claim 1 by the Amendment filed on April 16, 2009.

The rejection of claim 14 under §103 as being obvious over the Shimizu et al reference is respectfully traversed in view of the detailed arguments set forth in applicants' Amendment filed April 16, 2009, starting with the last complete paragraph on page 6 and continuing through page 9, line 2. It is respectfully submitted that the presently amended claim 14 is not rendered obvious by the Shimizu et al disclosure."

Entry of the present Amendment and allowance is solicited, taking into consideration that the Amendment presents the terminology suggested by the Examiner in the Advisory Action to overcome the remaining rejection of claim 12.

Frishauf, Holtz, Goodman
& Chick, P.C.
220 Fifth Ave., 16th floor
New York, NY 10001-7708
Telephone: (212) 319-4900
Facsimile: (212) 319-5101
HG/lpv

Respectfully submitted,


HERBERT GOODMAN
Reg. No. 17,081